



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER: FILING DATE: FILER NAME, INVENTOR: ATTORNEY, COUNSEL, ETC.:

07/324,481 03/16/89 SPRINGER,

T 10110310004

EXAMINER:

CUNNINGHAM, T

JEFFREY I. AUERBACH
SAIDMAN, STERNE, KESSLER & GOLDSTEIN
1225 CONNECTICUT AVENUE
WASHINGTON, DC 20036

ART UNIT: PATENT NUMBER:

186

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DATE MAILED: 08/15/90

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 3/30/91 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-692. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-74 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-74 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

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1. Applicant is encouraged to file an Information Disclosure Statement including (1) a form PTO-1449, "Information Disclosure Citation" listing patents, publications and other information material to the instant application, (2) a concise explanation of the relevance of each listed item and (3) a copy of each listed item as a means of complying with the duty of disclosure set forth in 37 C.F.R. 1.56. See 37 C.F.R. 1.97 through 1.99 and M.P.E.P. 609 and 2001.06 through 2004 for further guidance.

2. 35 U.S.C. 101 reads as follows:

"Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title".

3. Claims 1-74 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-78 of copending application Serial No. 07/250,446. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

4. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group 180, Art Unit 186.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Thomas M. Cunningham, Ph.D whose telephone number is (703) 557-5264. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 557-0664.

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TmC

T. M. Cunningham

8/14/90

M. Moskowitz
MARGARET MOSKOWITZ
SUPERVISORY
PATENT EXAMINER
ART UNIT 186